

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

APPLICANTS: Justin T. Nguyen et al.
APPLICATION NO.: 10/007,315
FILING DATE: November 07, 2001
TITLE: SYSTEM AND METHOD FOR ENTERPRISE EVENT MARKETING AND
MANAGEMENT AUTOMATION
EXAMINER: Maikhanh Nguyen
GROUP ART UNIT: 2176
ATTY. DKT. NO.: 22950-08577

MAIL STOP APPEAL BRIEF- PATENTS
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Sir:

This communication is in response to the Notification of Non-Compliant Appeal Brief, mailed on March 21, 2007 (the Notification).

The Notification indicates that “Summary of Claimed Subject Matter” in the Appeal Brief filed on December 4, 2006 (the Appeal Brief) is deficient. Applicants respectfully disagree.

37 C.F.R. § 41.37 (v) requires that the “Summary of Claimed Subject Matter” must

include “A concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters.” See 37 C.F.R. § 41.37; MPEP 1205.02.

In the Notification, the Examiner indicates that the “Summary of Claimed Subject Matter” in the Appeal Brief is deficient because it allegedly “fails to provide a proper mapping the claimed invention to the claims.” Specifically, the Examiner indicates that the references made for “allowing 12 a user in communication with the website to create a plurality of event pages describing an event and a registration page associated with the event utilizing the online tools, each of the plurality of event pages being targeted to one of a plurality of participant groups, each of the plurality of participant groups comprising one or more participants, the event pages including a link to the registration page” (the first claimed feature) and “communicating to the user the information received from the first and second participants” (the second claimed feature) of the independent claim 1 allegedly “fail to suggest” the first and second claimed features.

The “Summary of Claimed Subject Matter” in the Appeal Brief makes proper references to the specification by page and line number, and to the drawing of the present application as originally filed on November 7, 2001 (the Application) as required by § 41.37. Specifically, the first claimed feature refers to item 12 in Figure 1 and the specification page 7, lines 11-14, page 9, lines 6-8 and page 12, lines 1-13 of the Application. For example, portions of the first claimed feature (“allowing 12 a user in communication with the website to create a ... event pages describing an event and a registration page associated with the event utilizing the online tools, ... the event pages including a link to the registration page;”) are supported by the item 12 of Figure 1 (“ALLOWING A USER IN COMMUNICATION WITH THE WEBSITE TO CREATE AN

EVENT PAGE AND A REGSITRATION [sic] PAGE ASSOCIATED WITH AN EVENT UTILIZING THE ONLINE TOOLS, THE EVENT PAGE INCLUDING A LINK TO THE REGISTRATION PAGE”) and the specification page 7, lines 11-14 (“A website is provided that includes online tools for event marketing and management (Block 10). A user in communication with the website is allowed to create and event page and a registration page associated with the event page, utilizing the online tools (Block 12). The event page includes a link to the registration page.” Emphasis added.). The rest of the first claimed feature (“... to create a plurality of event pages ..., each of the plurality of event pages being targeted to one of a plurality of participant groups, each of the plurality of participant groups comprising one or more participants,”) is supported by the specification page 12, lines 1-13 (“Multiple event pages can be created for a single event. For example, a user may want to test different marketing messages, or have separate pages for exhibitors, speakers, staff, etc. By presenting multiple event pages, the user can market to specific populations. The event pages for the single event may be readily created by the user.” Emphasis added.).

Further, the reference made for the second claimed feature in the “Summary of Claimed Subject Matter” also satisfies the statutory requirements as set forth in § 41.37. The second claimed feature refers to the specification page 7, lines 24-26, which recites “Information received from the participant is communicated to the user in order to allow for further event marketing and management (Block 20).” Therefore, the cited portion of the Application supports a portion of the second claimed feature, “communicating to the user the information received from the” participant. The second claimed feature also recites “first and second participants” which is not mentioned in the reference. However, the first and second participants are introduced earlier in the “Summary of Claimed Subject Matter” (“forwarding 14 a first event

page of the plurality of event pages to a first participant of a first participant group to enable the first participant to establish a first communication with the registration page utilizing the link”) and are suggested in the associated references (the specification page 12, lines 1-13, “Multiple event pages can be created for a single event. For example, a user may want to test different marketing messages, or have separate pages for exhibitors, speakers, staff, etc. By presenting multiple event pages, the user can market to specific populations.”). There is nothing in § 41.37 or in the MPEP that requires “Summary of Claimed Subject Matter” to include repetitive references for the claimed limitations introduced earlier in the same claim. According to § 41.37, the purpose of the “Summary of Claimed Subject Matter” is to concisely explain the subject matter defined in the claim, and repeating such references would defeat this purpose.

Nevertheless, to expedite consideration of this appeal by the Board, Applicants are submitting an Amended Appeal Brief in compliance with the Notification together with this Response. The enclosed Amended Appeal Brief is identical to the Appeal Brief originally filed on December 4, 2006 except the following: (1) the “Summary of the Claimed Subject Matter” includes a revised mapping of each independent claim to a section in the disclosure where an embodiment of the claimed feature is described; (2) Applicants’ representative submitting the Amended Appeal Brief is changed from Brian Hoffman to Jie Zhang; and (3) the “Real Party in Interest” identifies StarCite, Inc. as the owner of the Application to reflect the merger of the OnVantage, Inc. and the StarCite, Inc. completed on January 8, 2007. No assignment of rights in the invention described by the Application from OnVantage, Inc. to StarCite, Inc. is recorded.

Please contact me if you have any questions or comments regarding this matter.

Respectfully submitted,

Justin T. Nguyen et al.

Dated: April 23, 2007

By: /Jie Zhang/

Jie Zhang, Reg. No. 60,242
Attorney for Applicants
Fenwick & West LLP
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7297
Fax: (650) 938-5200